

REMARKS

I. STATUS OF THE CLAIMS

Claims 1-18 are rejected.

Claims 19-64 were withdrawn from further consideration as being drawn to a nonelected invention and are currently canceled.

Claim 1 has been amended herein. No new matter is being presented. Support for currently amended claim 1 can be located at page 25, line 26 – page 26, line 2 and at page 26, lines 25-26 of the specification, for example.

Claim 3 has been amended herein.

New claim 65 has been added and presents no new matter. Support for new claim 65 can be located at page 24, lines 25-27, and at page 25, lines 26-27 through page 26, lines 1-2.

In view of the above, it is respectfully submitted that claims 1-18 and 65 are currently pending.

II. OBJECTION TO THE SPECIFICATION

The Examiner objects to the specification.

It is respectfully submitted that Applicants believe the specification is in a suitable condition. Thus, it is respectfully requested that the objection to the specification be withdrawn.

III. REJECTION OF CLAIMS 1-18 UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

The Examiner alleges that claims 1-18 are generally narrative and indefinite and fail to conform with current U.S. practice. In view of the claim amendments made herein, it is respectfully submitted that the rejection is overcome.

IV. REJECTION OF CLAIMS 1-6, 11-13, and 15 under 35 U.S.C. § 102(e) AS BEING ANTICIPATED BY YAMADA (U.S. PATENT NUMBER 6,336,100)

Independent claim 1 specifically recites, in addition to language identifying other novel features of the present invention, "sending an anonymous order to the seller's terminal for a commodity via the information communication network" and "assigning transaction identification

(ID) information peculiar to said anonymous order.”

Yamada discloses an online shopping system in which customers' terminals communicate with a server to place orders to the server through virtual stores. When placing orders, customers can select their home addresses or convenience stores near their houses as places where the ordered commodities should be delivered. That is, the object of the invention of Yamada is to provide an online shopping system in which the efficiency of delivery will not be deteriorated by customers' absence at home, and in which customers can timely receive the ordered commodities.

The online shopping service provider records member discriminating information that discriminates account settlement systems and members under the online shopping systems from each other. Further, the online shopping service provider issues ID cards storing the member discriminating information to the members when customers become the members of the online shopping system. When a customer buys a commodity via terminal equipment in the online shopping system, the customer transmits order information, including the member discriminating information, commodity order information, commodity amount information, and delivery information that indicates a place the ordered commodity should be delivered, to the server.

As for the delivery information, the customer selects his or her place of residence, or a place (station) where the commodity is kept temporarily such as the 24-hour opened convenience store closest to the place of residence of the customer. See Yamada, column 2, line 57 to column 3, line 10. Then, the server transmits the received order information to the virtual store's terminal equipment and the manufacturer's terminal equipment, an another piece of information, indicating the date and time when the customer will take the commodity and a designated retailer, to the merchandise management center of the home deliverer. See Yamada, column 3, lines 13-18.

Applicants respectfully submit that Yamada fails to disclose, teach, or suggest Applicants' claimed invention as identified by the language of claim 1, for example. Instead, Yamada discloses “ member discriminating information,” which identifies each member of a shopping system. According to Yamada, the member discriminating information is provided to a server, that is, an online shopping service provider. See Yamada, column 2, line 65 – column 3, line 5. Thus, in Yamada, in contrast to the present invention, as defined by claim 1, personal information of customers such as the member discriminating information, is known to the service provider. Further, since the member discriminating information is also transmitted to the virtual store's terminal equipment, the manufacture's terminal equipment, and the merchandise management

center of the home deliverer, customers' personal information, for example, the member discriminating information, is also known to all of the above-identified entities.

In contrast, operation of the present invention, as defined by claim 1, includes "sending an **anonymous** order to the seller's terminal for a commodity via the information communication network" and "assigning transaction identification (ID) information peculiar to said **anonymous** order." The transaction performed thereafter uses assigned unique information, and the customers receive their ordered commodities at places other than their homes to allow their personal information to be *concealed* from intermediary service providers. Therefore, the present invention, as defined by claim 1, is patentable over Yamada. As claims 2-6, 11-13, and 15 depend from claim 1, Applicants submit that these claims are patentable over the references for at least the reasons presented above with regard to claim 1.

In view of the foregoing, it is respectfully requested that the rejection be withdrawn.

V. REJECTION OF CLAIMS 7-8 and 10 under 35 U.S.C. § 103(a) AS BEING UNPATENTABLE OVER YAMADA IN VIEW OF SHKEDY (U.S. PATENT NUMBER 6,236,972)

Claims 7-8 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamada in view of Shkedy. Applicants respectfully submit that claims 7-8 and 10 are patentable over Yamada in view of Shkedy, as neither Yamada nor Shkedy, taken alone or in combination, teaches or suggests the features of claims 7-8 and 10, as recited via claim 1. As previously argued, Yamada fails to teach or suggest, "sending an anonymous order to the seller's terminal for a commodity via the information communication network" and "assigning transaction identification (ID) information peculiar to said anonymous order." Likewise, Applicants respectfully submit that Shkedy fails to teach or suggest the feature of the present invention identified by the above-quoted language. Rather, Shkedy discloses that a user attaches his user identification to an order and transmits the order to a central controller. See Shkedy, column 6, lines 27-32. Thus, unlike in the present invention, the order in Shkedy is not anonymous.

In light of the foregoing, claims 7-8 and 10 are patentable over Yamada in view of Shkedy, as neither of the references, taken alone or in combination, teaches or suggests the above-identified feature. Therefore, it is respectfully requested that the rejection be withdrawn.

VI. REJECTION OF CLAIM 9 UNDER 35 U.S.C. § 103(a) AS BEING
UNPATENTABLE OVER YAMADA IN VIEW OF TSUKUDA (U.S. PATENT
NUMBER 6,085,170)

Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamada in view of Tsukuda. Applicants respectfully submit that claim 9 is patentable over Yamada in view of Tsukuda, as neither Yamada nor Tsukuda, taken alone or in combination, teaches or suggests the features of claim 9, as recited via claim 1. As previously argued, Yamada fails to teach or suggest, "sending an anonymous order to the seller's terminal for a commodity via the information communication network" and "assigning transaction identification (ID) information peculiar to said anonymous order." Likewise, Applicants respectfully submit that Tsukuda fails to teach or suggest the feature of the present invention identified by the above-quoted language. Tsukuda discloses that identifying information such as an electronic address of a purchaser of goods is registered. See Tsukuda, column 7, lines 37-44. Thus, unlike in the present invention, the information in Tsukuda is not anonymous. Therefore, it is respectfully requested that the rejection be withdrawn.

VII. REJECTION OF CLAIM 14 UNDER 35 U.S.C. § 103(a) AS BEING
UNPATENTABLE OVER YAMADA IN VIEW OF O'LEARY *et al.* (U.S. PATENT
NUMBER 6,609,113)

Claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamada in view of O'Leary *et al.* Applicants respectfully submit that claim 14 is patentable over Yamada in view of O'Leary, as neither Yamada nor O'Leary, taken alone or in combination, teaches or suggests the features of claim 14, as recited via claim 1. As previously argued, Yamada fails to teach or suggest, "sending an anonymous order to the seller's terminal for a commodity via the information communication network" and "assigning transaction identification (ID) information peculiar to said anonymous order." Likewise, Applicants respectfully submit that O'Leary fails to teach or suggest the feature of the present invention identified by the above-quoted language. O'Leary discloses that a user supplies identifying information such as a credit card number and/or an address to a Payment Portal Processor (PPP). See O'Leary, column 9, line 65 – column 10, line 10. Thus, in O'Leary, the information is not anonymous. Therefore, it is respectfully requested that the rejection be withdrawn.

VIII. REJECTION OF CLAIMS 16-18 UNDER 35 U.S.C. § 103(a) AS BEING UNPATENTABLE OVER YAMADA IN VIEW OF QUINLAN *et al.* (U.S. PATENT NUMBER 6,748,365)

Claims 16-18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Yamada in view of Quinlan *et al.* Applicants respectfully submit that claims 16-18 are patentable over Yamada in view of Quinlan, *et al.*, as neither Yamada nor Quinlan *et al.*, taken alone or in combination, teaches or suggests the features of claims 16-18, as recited via claim 1. As previously argued, Yamada fails to teach or suggest, "sending an anonymous order to the seller's terminal for a commodity via the information communication network" and "assigning transaction identification (ID) information peculiar to said anonymous order." Likewise, Applicants respectfully submit that Quinlan *et al.* fails to teach or suggest the feature of the present invention identified by the above-quoted language. Quinlan *et al.* discloses that consumer identifying information is entered into an electronic record and transmitted across an internetwork. See Quinlan *et al.*, column 12, lines 31 –33. See *also* Figure 2.

Unlike in the present invention, the information in Quinlan *et al.* is not anonymous.

In light of the foregoing, claims 16-18 are patentable over Yamada in view of Quinlan *et al.*, as neither of the references, taken alone or in combination, teaches or suggests the above-identified feature. Therefore, it is respectfully requested that the rejection be withdrawn.

IX. NEW CLAIM 65 IS PATENTABLE OVER THE CITED REFERENCES

Applicants submit that new claim 65 is patentable over each of the references, as none of the references, taken alone or in combination, teach or suggest, "receiving an anonymous purchase order; and assigning transaction identification information to said anonymous purchase order."

X. CONCLUSION

In view of the above, it is respectfully submitted that the application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

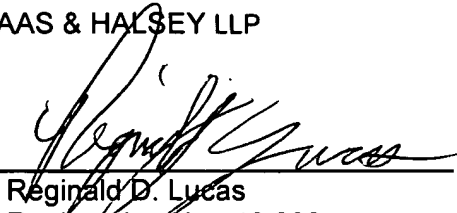
Respectfully submitted,

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